

ORAL ARGUMENT HELD MARCH 20, 2023  
**IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

American Society for Testing and Materials, et al.,

Appellants,

v.

Public.Resource.Org, Inc.,

Appellee.

Case No. 22-7063

**JOINT MOTION TO EXTEND TIME  
TO RESPOND TO ORDER TO SHOW CAUSE**

Pursuant to Federal Rule of Appellate Procedure 26(b) and D.C. Circuit Rule 27(h), the American Society for Testing and Materials, the National Fire Protection Association, Inc., and the American Society of Heating, Refrigerating, and Air Conditioning Engineers, Inc. (collectively, “Appellants”) and Public.Resource.Org, Inc. (“Appellee”) jointly move to extend the time for responding to the Court’s order to show cause by 23 days, to December 15, 2023. In support of this motion, Appellants and Appellee state as follows:

1. On October 20, 2023, the Court issued the mandate in this case.
2. On October 23, 2023, the Court issued an order directing the parties to show cause by November 22, 2023 why the sealed portions of the record of this case should not be unsealed.

3. Good cause exists for the requested extension of time. Appellants and Appellee filed both public and sealed volumes of their Joint Appendix. The sealed volumes contain a large quantity of materials that were sealed in the district court and remained sealed on appeal. It will take a significant amount of time for Appellants and Appellee to review the sealed materials, determine what may be unsealed, and (if necessary and appropriate) propose redactions to sealed materials. Furthermore, the Court's order strongly encourages the parties to submit a joint response to the order to show cause. It will take additional time for the parties to meet-and-confer on responding to the order to show cause.

4. Appellants and Appellee have not previously requested an extension of time to respond to the Court's order to show cause.

5. Appellants and Appellee have conferred and agree that an extension of time of 23 days, to December 15, 2023, is appropriate. Appellants and Appellee jointly request that the deadline for responding to the Court's order to show cause be extended by 23 days, to December 15, 2023.

In light of the considerations set forth above, Appellants and Appellee respectfully request that the Court grant this motion and order that the response to the Court's order to show cause be extended to December 15, 2023.

Dated: November 17, 2023

Respectfully submitted,

/s/ Rose Leda Ehler

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**CERTIFICATE OF SERVICE**

I hereby certify that on November 17, 2023, a true and correct copy of this motion was filed via the Court's electronic filing system, which will forward a copy to all counsel of record. I certify that all participants in this case are registered CM/ECF users.

Dated: November 17, 2023

/s/ Rose Leda Ehler

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## CERTIFICATE OF COMPLIANCE

1. This document complies with the word limit of Fed. R. App. P. 27(d)(2)(A) because, excluding the parts of the document exempted by Fed. R. App. P. 32(f), this document contains 343 words.

2. This document complies with the typeface requirements of Fed. R. App. P. 27(d)(1)(E) and Fed. R. App. P. 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because this document was prepared in a proportionally spaced typeface using Microsoft Word in 14-point font.

Dated: November 17, 2023

/s/ Rose Leda Ehler

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